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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOC #:

DATE FILED: 11/12/14

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PERRY A. GRUSS, :

Plaintiff and Counterclaim-
Defendant, :

v. :

09 CV 6441 (PGG)
(ECF CASE)

D.B. ZWIRN & CO., L.P. and D.B. ZWIRN
PARTNERS, LLC, :

Defendants and Counterclaim-
Plaintiffs, :

- and - :

STIPULATION AND ~~ORDER~~ ORDER
OF RULE 41 DISMISSAL
WITH PREJUDICE

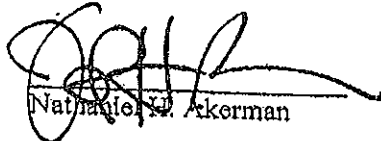
DANIEL B. ZWIRN, :

Defendant. :

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Plaintiff and Counterclaim-Defendant Perry A. Gruss; Defendants and Counterclaim-
Plaintiffs D.B. Zwirn & Co., LP and D.B. Zwirn Partners, LLC; and Defendant Daniel B. Zwirn,
pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate and agree that all of the parties'
claims in this action shall be dismissed with prejudice in their entirety, each party to bear its own
costs and attorneys' fees.

Dated: November 10, 2014



Nathaniel M. Ackerman

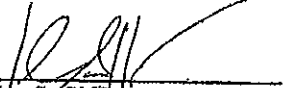
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Zwirn Partners, LLC*



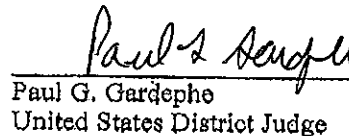
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Counsel for Defendant Daniel B. Zwirn

The Clerk of the Court is directed to close this case.

Dated: New York, New York
November 10, 2014

SO ORDERED



Paul G. Gardephe
United States District Judge